

REMARKS

In the office action of December 3, 2004, the Examiner rejected claims 1-21 based on U.S. 980,255, CH 597-451, and DE 2,021,170. The Examiner based the rejections on §102 as well as §103. In the office action of September 2, 2004, the Examiner relied on Bateman to reject the then pending claims. The Bateman patent directly discusses bullet proof structures. The three references currently relied upon in the current office action address displays (the '451 Swiss patent), greenhouses (the '255 Herms patent), and concrete forms (the '170 German patent). Applicant therefore argues that the references currently relied upon would not be looked to by one of skill in the art of making a bullet proof structure, and would not be combined together in making a bullet proof structure.

The Herms patent would not be looked to in creating a bullet proof joint, as it uses a very weak joint with minimal surface contact to prevent bullets from passing through. Applicant therefore argues that Herms is not relevant art.

Additionally, Applicant believes it is improper to combine Herms with the German patent, as the structures are not interchangeable. If one interchanges the structures taught in these patents, the joint will not properly support the panels, and can not be tightened because the bolt is inaccessible.

The Examiner previously indicated that claim 22 would be allowable if rewritten in independent form. Applicant has amended claim 20 to include the limitations of claim 21 and claim 22, and therefore believes that claim 20 is allowable. Applicant requests that the Examiner allow claim 20.

Applicant has amended claim 1 to include similar limitations, in particular that the facing strip contact the panels only at the edges, to include a backing strip, and to require at least one bolt for attaching the facing strip without penetrating the facing strip. Applicant therefore requests that the Examiner allow claim 1 because it contains elements not taught by the prior art and previously indicated as allowable.

Applicant has amended claim 7 to include a bolt attached to the facing strip without penetrating therethrough, and to require that the facing strip contact the plates only along its edges. As previously indicated by the Examiner, these elements are not shown in the prior art. Applicant therefore requests that claim 7 be allowed.

Applicant has amended claim 10 to include a facing strip bent such that only the edges contact the plates, and at least one bracket for holding a bolt to the facing strip without penetrating through the strip. As the Examiner previously indicated that these elements were allowable, Applicant requests that claim 10 be allowed.

Applicant has amended claim 13 to include a bent facing strip with only the edges contacting the plates, and a plurality of bolts attached to the facing strip without penetrating through the facing strip. These elements were previously indicated as allowable. Applicant therefore respectfully requests that claim 13 be allowed.

Additionally, Applicant believes that claims 4, 9, 11, and 15 are independently allowable, as they claim brackets for receiving a bolt with openings on at least two brackets that are disposed on opposite sides of the brackets. This prevents the facing strip from sliding off of the bolts once installed, as could happen if all of the openings were on the same side of the brackets. This is not shown in the prior art.

Applicant has amended claim 16 to include the facing strip as bent such that only the lateral edges of the facing strip contact the plates, and to require a plurality of bolts attached to the facing strip without penetrating the facing strip. The Examiner previously indicated that these elements were allowable, and accordingly Applicant respectfully requests that the claim be allowed.

Applicant also believes that claim 19 is independently allowable because it requires selecting a facing strip with mounting brackets with openings for receiving a bolt, where at least two openings are disposed on opposite sides of the brackets. This prevents the facing strip from sliding off of the bolts accidentally, and is not shown in the art.

Applicant has also added new claim 24. Claim 24 requires a joint strip having a facing strip which only contacts the plates on the lateral edges of the facing strip, and having brackets for attaching bolts to the facing strip, the brackets being attached to the facing strip independent of the bolt. These limitations were previously indicated as allowable, and Applicant therefore believes that claim 24 is allowable, and respectfully requests that the claim be allowed.

Applicant therefore believes that all of the claims are in condition for allowance and requests that the Examiner allow the application.

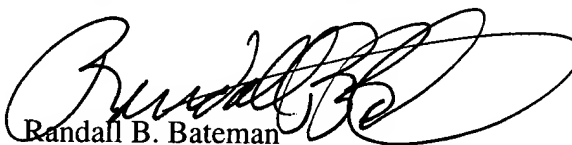
Applicant notes that the Examiner stated on page 12 that the Office Action was non-final based on a new rejection of an unamended claim, but the cover sheet was marked as final. Applicant has responded as though this were a non-final Office Action.

Applicant does not believe that a fee is required for claim 24, as independent claim 23 was previously withdrawn. The Commissioner is hereby authorized to charge any amounts due or credit any overpayments to Deposit Account No. 50-2720.

Should the Examiner have any concerns with the present amendment, it is requested that he contact Applicant's counsel, Randall B. Bateman, at (801) 533-0320 so that these concerns may be quickly resolved.

Sincerely,

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